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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/692,173
Filing Date: October 23, 2003
Appellant(s): CHEN ET AL.

Robert H. Frantz
<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 08/02/2010 appealing from the Office action

mailed 01/05/2010.

1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the

subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are

provided under the subheading "NEW GROUNDS OF REJECTION."

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal

because they have been withdrawn by the examiner.

The previously applied rejection under USC 112 2nd is hereby withdrawn in view of

applicant's amendment (Advisory Action mailing date: 04/13/2010).

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 6,177,939   Blish et al.   01/23/2001

US 6,807,668   Stern   10/19/2004

US 6,560,608   Tomm et al. 05/06/2003

US 5,586,025   Tsuji et al.   12/17/1996

NPL document   "Breaking the Copy/Paste Cycle: The stretchable

Selection Tool"   Apperley et al. 2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable by Apperley

(Apperley, "Breaking the copy/paste cycle: the stretchable selection tool") in view of

Blish et al. (Blish, US 6,177,939 B1).

As to **INDEPENDENT** claim 16, Apperley discloses a computer-implemented method

comprising: providing a copier configured to allow a user to designate a destination

point or area in a first computer resource, and to select in a second user interface to a

second computer resource multiple information element in the second computer

resources (fig.3; sect. 3.1, par.2; a destination area/sink field and source area/tank

fields are visually connected allowing for a destination first, source second copy/paste

operation of multiple information elements. For example, "64 - 9 - 366 0121" in the

highlighted area);

Responsive to the user selection, automatically [copy] the selected information

elements into a single transfer buffer (fig.3; sect. 3.1, par.1, sect. 3.3, par.7, lines 7-9);

information elements are copied to a clipboard as the user drags the stretchable

selection tool across information items 64 - 9 - 366 0212); and

Automatically transferring the information items from the transfer buffer, to the

destination point or area of one or more information elements (fig.3; sect. 3.1, par.1;

information items 64 - 9 - 366 0212 on the right, are identified and copied to the "Fax"

field on the left).

Apperley does not specifically disclose concatenating the multiple selected information

elements and transferring the concatenated information items to the destination point.

In the same field of endeavor, Blish discloses concatenating the multiple selected

information elements and transferring the concatenated information items to the

destination point (col.1, lines 55-66, col.3, lines 41-46; information elements are

selected from multiple locations are collected/copied/appended/concatenated to a

clipboard memory and pasted to a destination location).

It would have been obvious to one of ordinary skill in the art, having the teaching of

Apperley and Blish before him at the time the invention was made, to modify the

destination first, source second copy/paste interface taught by Apperley to include

multiple source information selection taught by Blish with the motivation being to make

multiple information selecting and pasting more efficient (Blish, col.1, lines 30-45).

As to **INDEPENDENT** claim 17, see rationale addressed in the rejection of claim 16

above.

As to **INDEPENDENT** claim 18, see rationale addressed in the rejection of claim 16

above.

Claims 1, 6 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable by

Apperley in view of Blish and in further view of Stern et al. (Stern, US 6,807,668 B2).

As to claim 1, Apperley discloses wherein the providing of a copier comprises providing

a destination-first, source-second element copier configured to allow a user in a first

user interface to a first computer resource to designate a destination point or area in the

first computer resource, and to subsequently select in a second user interface to a

second computer resource two or more information elements in the second computer

resource (fig.3; sect. 3.1, par.2; a destination area/sink field and source area/tank fields

are visually connected allowing for a destination first, source second copy/paste

operation of multiple information elements);

Blish discloses Wherein the transfer buffer comprises a clipboard in memory (col.1,

lines 60-63; "clipboard).

Wherein the concatenating further comprises, subsequent to the user selections,

automatically copying the selected information elements into a clipboard in memory

col.1, lines 55-66, col.3, lines 41-46; information elements are selected from multiple

locations are collected/copied/appended/concatenated to a clipboard memory and

pasted to a destination location).

Apperley and Blish do not disclose wherein the automatic transferring further

comprises, upon attempt to automatically transfer the information items from the

clipboard in memory, intercepting the transfer to the destination point or area of one or

more information elements; and the method further comprising: performing a

compatibility check for each intercepted information element with the destination

computer resource by consulting one or more user-configurable compatibility rules to

classify elements as incompatible or compatible; for each incompatible element,

performing a compatibility handling action as defined by one or more conversion rules;

and for each compatible element, allowing transfer of the unmodified compatible

element to the destination.

In the same field of endeavor, Stern discloses wherein the automatic transferring

further comprises, upon attempt to automatically transfer the information items from the

clipboard in memory, intercepting the transfer to the destination point or area of one or

more information elements(col.7, lines 25-30; a drag manager checks the capabilities of

the information elements before issuing a paste command);

the method further comprising: performing a compatibility check for each

intercepted information element with the destination computer resource by consulting

one or more user-configurable compatibility rules to classify elements as incompatible

or compatible (col.45, lines 6-9, lines 31-34; "GetFlavorFlags" determines compatibility,

"GetFlavorData" determines data type, user uses the data returned from the functions

described above to configure compatibility rules);

for each incompatible element, performing a compatibility handling action as defined by one or more conversion rules (col.9, lines 40-57; "translation manager"); and

for each compatible element, allowing transfer of the unmodified compatible element to the destination (col.7, lines 60-64; col.9, lines 36-40).

It would have been obvious to one of ordinary skill in the art, having the teaching of Apperley and Blish and the teaching of Stern before him at the time the invention was made, to modify the destination first, source second copy/paste interface taught by Apperley and Blish to include an element compatibility manager taught by Stern with the motivation being to copy potentially incompatible information elements to a destination area (Stern, col.8, lines 15-3; col.9, lines 49-55).

As to claim 6, see rationale addressed in the rejection of claim 1 above.

As to claim 11, see rationale addressed in the rejection of claim 1 above.

Claims 2-5, 7-10 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Apperley, Blish, Stern, Tomm et al. (Tomm, US 6,560,608 B1) and in view of Tsuji et al. (Tsuji, US 5,586,025).

As to claim 2, Apperley, Blish and Stern do not disclose invoking a rule management user interface responsive to finding no existing compatibility rule for an element to be

transferred; allowing, via the rule management user interface, a user action selected

from the list of creating a new compatibility rule, deleting a compatibility rule, and

modifying a compatibility rule.

In the same field of processing data, Tomm discloses a system for selecting rules to

process data. Tomm further teaches invoking a rule management interface ("rule

editor") responsive to finding no existing rule for matching for an element to be

transferred (fig.6; "630", "640", "650"); Tomm also teaches allowing, via the rule

management user interface, a user action to create a new rule (see col.5, lines 35-41).

It would have been obvious to one of ordinary skill in the art, having the teaching of

Apperley, Blish and Stern and the teaching of Tomm before him at the time the

invention was made, to modify the system for transferring content taught by Apperley,

Blish and Stern to include an interface for adding new rules taught by Tomm with the

motivation being to enhance the usefulness of Apperley and Stern's system since the

added new rules "are available for subsequent [compatibility checking] operations" (see

Tomm, col.7, lines 61-62).

Tomm does not disclose deleting a compatibility rule, and modifying a compatibility rule.

In the same field of endeavor, Tsuji discloses a rule management user interface (fig.1,

"17"), a user action selected from the list of creating a new rule (col.5, lines 65-66,

"registration of a new rule"), deleting a rule (col.6, lines11-12 "delete the rule base"), and modifying a rule (col.5, lines 67- col.6, lines 2, "changing a stored rule).

It would have been obvious to one of ordinary skill in the art, having the teaching of Apperley, Blish, Stern and Tomm, and the teaching of Tsuji before him at the time the invention was made, to modify system for transferring content taught by Apperley, Blish, Stern and Tomm to include the rule deletion and modification taught by Tsuji with the motivation being to provide a customizable user interface for rules manipulation.

As to claim 3, Apperley, Blish and Stern do not disclose invoking a rule management user interface responsive to finding no existing conversion rule for an element to be transferred; and allowing, via the rule management user interface, a user action selected from the list of creating a new conversion rule, deleting a conversion rule, and modifying a conversion rule.

In the same field of processing data, Tomm discloses a system for selecting rules to process data. Tomm further teaches invoking a rule management interface ("rule editor") responsive to finding no existing rule for matching for an element to be transferred (fig.6; "630", "640", "650"); Tomm also teaches allowing, via the rule management user interface, a user action to create a new rule (see col.5, lines 35-41).

It would have been obvious to one of ordinary skill in the art, having the teaching of Apperley, Blish and Stern and the teaching of Tomm before him at the time the invention was made, to modify the system for transferring content taught by Apperley

and Stern to include an interface for adding new rules taught by Tomm   with the

motivation being to enhance the usefulness of Apperley, Blish and Stern's system since

the added new rules "are available for subsequent [compatibility checking] operations"

(see Tomm, col.7, lines 61-62).

Tomm does not disclose deleting a compatibility rule, and modifying a conversion rule.

In the same field of endeavor, Tsuji discloses a rule management user interface (fig.1,

"17"), a user action selected from the list of creating a new rule (col.5, lines 65-66,

"registration of a new rule"), deleting a rule (col.6, lines11-12 "delete the rule base"), and

modifying a rule (col.5, lines 67- col.6, lines 2, "changing a stored rule").

It would have been obvious to one of ordinary skill in the art, having the teaching of

Apperley, Blish, Stern and Tomm, and the teaching of Tsuji before him at the time the

invention was made, to modify system for transferring content taught by Apperley, Blish,

Stern and Tomm to include the rule deletion and modification taught by Tsuji   with the

motivation being to provide a customizable user interface for rules manipulation.

As to claim 4, Stern discloses creating and modifying a conversion rule which specifies

performing an action selected from a group comprising converting a text element from

one format to another format, converting a graphic image element from one format to

another format, converting a video clip element from one format to another format,

converting an audio clip element from one format to another format, converting

animated image element from one format to another format, isolating an element,

isolating an element and transferring an annotation to the destination, isolating an

element and transferring a hyperlinked annotation to the destination (col.65, lines 4-8;

each compatible format (col.7, lines 26-30 defines flavors as different data types, it is

consist with the definition of data format) is listed via the translation manager (col.9,

lines 49-54))

As to claim 5, Stern discloses performing a compatibility handling action comprises

performing an action selected from the list of converting a text element from one format

to another format, converting a graphic image element from one format to another

format, converting a video clip element from one format to another format, converting an

audio clip element from one format to another format, converting animated image

element from one format to another format isolating an element, isolating an element

and transferring an annotation to the destination, isolating an element and transferring a

hyperlinked annotation to the destination (col.65, lines 4-8; each compatible format,

(col.7, lines 26-30 defines flavors as different data types, it is consist with the definition

of data format) is listed via the translation manager (col.9, lines 49-54)).

As to claim 7, see rationale addressed in the rejection of claim 2 above.

As to claim 8, see rationale addressed in the rejection of claim 3 above.

As to claim 9, see rationale addressed in the rejection of claim 4 above.

As to claim 10, see rationale addressed in the rejection of claim 5 above.

As to claim 13, see rationale addressed in the rejection of claim 3 above.

As to claim 14, see rationale addressed in the rejection of claim 4 above.

As to claim 15, see rationale addressed in the rejection of claim 5 above.

(10) Response to Argument:

Appellant argues that Blish does not disclose concatenating the multiple selected information elements and transferring the concatenated information items to the destination point.

In response to Appellant's argument, Blish discloses that information items are selected from multiple locations are appended/concatenated (col.3, lines 42-45) to a

clipboard table of content shared memory block (col.2, lines 53-57) in an entry

containing at least the content to be copied (col.3, lines 38-41, lines 48-50, lines 60-64),

wherein the concatenated information items are pasted to other designated location(s)

(col.1, lines 65-67).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the Above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Haoshian Shih/

Examiner, Art Unit 2173

/Kieu Vu/
Supervisory Patent Examiner, Art Unit 2173

/William L. Bashore/
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